

REMARKS

Upon entry of this amendment, claims 29-34 are all the claims pending in the application. Claims 1-28 have been canceled by this amendment, and claims 29-34 have been added as new claims. No new matter has been added.

Applicants note that minor editorial changes have been made to the specification for grammatical and general readability purposes. No new matter has been added.

I. Claim Rejections under 35 U.S.C. § 103(a)

Claims 1, 3, 4, 8, 15, 17, 18 and 22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Seki et al. (US 2004/0190657) in view of Official Notice; claims 2 and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Seki in view of Redi et al. (US 2002/0071395); claims 6, 7, 9, 10, 20, 21, 23 and 24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Seki in view of Scherzer et al. (US 2004/0037258); and claims 5, 11-14, 19 and 25-28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Seki in view of Jorswieck et al. (US 2006/0193294).

Claims 1-28 have been cancelled and are replaced with new claims 29-34 in order to further distinguish the present invention from the references applied by the Examiner. In this regard, Applicants submit that the above-noted prior art references are inapplicable to new claims 29-34 for at least the following reasons.

Regarding claim 29, Applicants note that this claim recites the features of a detector operable to detect, based on said information regarding the receiving condition of the received packets, an interval at which an error rate is higher than a specified threshold within said one

cycle of said predetermined frequency; and a transmission controller operable to set said detected interval in subsequent cycles of said predetermined frequency as an interval for stopping data transmission with respect to the terminal. Applicants respectfully submit that the above-noted prior art references do not teach, suggest or otherwise render obvious at least the above-noted features recited in new claim 29.

First, with respect to Seki et al. (US 2004/0190657), Applicants note that this reference discloses a communication device having the ability to accurately estimate Doppler frequency in order to provide improved wireless communication (see Abstract, paragraph [0011], and paragraph [0058]). In this regard, as disclosed in Seki, the Doppler frequency can be estimated using a phase difference calculator which estimates absolute phase differences between complex time-domain response signals that are selected according to a predetermined algorithm (see Abstract and paragraph [0012]).

Based on the foregoing description, Applicants note that while Seki discloses the ability to accurately estimate Doppler frequency in order to improve wireless communication, that Seki does not disclose or suggest the ability to detect an interval at which an error rate is higher than a specified threshold within one cycle of a predetermined frequency, and to set the detected interval in subsequent cycles of the predetermined frequency as an interval for stopping data transmission with respect to a terminal.

Accordingly, Applicants respectfully submit that Seki does not disclose, suggest or otherwise render obvious the above-noted features recited in claim 29 of a detector operable to detect, based on said information regarding the receiving condition of the received packets, an interval at which an error rate is higher than a specified threshold within said one cycle of said

predetermined frequency; and a transmission controller operable to set said detected interval in subsequent cycles of said predetermined frequency as an interval for stopping data transmission with respect to the terminal.

Second, with respect to Redi et al. (US 2002/0071395), Applicants note that this reference discloses a mechanism for performing energy-based routing in a communication network (see paragraph [0016]). In particular, as disclosed in Redi, an electronic processor determines path loss information across at least one communication link by evaluating power data corresponding to a message received from a first node, distributes the path loss information to the network, and routes messages to the network based on the path loss information (see paragraph [0017]).

Based on the foregoing description, Applicants note that while Redi discloses the ability to route messages based on path loss information, that Redi does not disclose or suggest the ability to detect an interval at which an error rate is higher than a specified threshold within one cycle of a predetermined frequency, and to set the detected interval in subsequent cycles of the predetermined frequency as an interval for stopping data transmission with respect to a terminal.

Accordingly, Applicants respectfully submit that Redi does not disclose, suggest or otherwise render obvious the above-noted features recited in claim 29 of a detector operable to detect, based on said information regarding the receiving condition of the received packets, an interval at which an error rate is higher than a specified threshold within said one cycle of said predetermined frequency; and a transmission controller operable to set said detected interval in subsequent cycles of said predetermined frequency as an interval for stopping data transmission with respect to the terminal.

Third, with respect to Scherzer et al. (US 2004/0037258), Applicants note that this reference discloses a technique to schedule frame transmissions in a wireless network, wherein a central controller examines transmission characteristics between various stations and access points and identifies frames that may be simultaneously transmitted by a subset of the access points to their intended stations (see Abstract).

Based on the foregoing description, Applicants note that while Scherzer discloses the ability to determine frames that may be simultaneously transmitted by a plurality of access points, that Scherzer does not disclose or suggest the ability to detect an interval at which an error rate is higher than a specified threshold within one cycle of a predetermined frequency, and to set the detected interval in subsequent cycles of the predetermined frequency as an interval for stopping data transmission with respect to a terminal.

Accordingly, Applicants respectfully submit that Scherzer does not disclose, suggest or otherwise render obvious the above-noted features recited in claim 29 of a detector operable to detect, based on said information regarding the receiving condition of the received packets, an interval at which an error rate is higher than a specified threshold within said one cycle of said predetermined frequency; and a transmission controller operable to set said detected interval in subsequent cycles of said predetermined frequency as an interval for stopping data transmission with respect to the terminal.

Fourth, with respect to Jorswieck et al. (US 2006/01093294), Applicants note that this reference depicts a diagram (Fig. 5) showing the bit error rate with adaptive channel inversion at a fixed transmit power for different numbers of data streams for modulation QPSK over the signal-to-noise ratio (see paragraph [0071]). In this regard, as explained in Jorswieck with

reference to Fig. 5, in order to guarantee a specific bit error rate, both the number of data streams and the modulation method can be modified (see paragraph [0071]).

Based on the foregoing description, Applicants note that while Jorswieck discloses the ability to guarantee a specific bit error rate by modifying both the number of data streams and the modulation method, that Jorswieck does not disclose or suggest the ability to detect an interval at which an error rate is higher than a specified threshold within one cycle of a predetermined frequency, and to set the detected interval in subsequent cycles of the predetermined frequency as an interval for stopping data transmission with respect to a terminal.

Accordingly, Applicants respectfully submit that Jorswieck does not disclose, suggest or otherwise render obvious the above-noted features recited in claim 29 of a detector operable to detect, based on said information regarding the receiving condition of the received packets, an interval at which an error rate is higher than a specified threshold within said one cycle of said predetermined frequency; and a transmission controller operable to set said detected interval in subsequent cycles of said predetermined frequency as an interval for stopping data transmission with respect to the terminal.

In view of the foregoing, Applicants respectfully submit that the cited prior art references do not disclose, suggest or otherwise render obvious at least the above-noted features recited in new claim 29. Accordingly, Applicants submit that claim 29 is patentable over the cited prior art, an indication of which is kindly requested. Claims 30-33 depend from claim 29 and are therefore considered patentable at least by virtue of their dependency.

Regarding new claim 34, Applicants note that this claim recites the features of detecting, based on the information regarding the receiving condition of the received packets, an interval at

which an error rate is higher than a specified threshold within said one cycle of said predetermined frequency; and setting said detected interval in subsequent cycles of said predetermined frequency as an interval for stopping data transmission with respect to the terminal.

For at least similar reasons as discussed above with respect to claim 29, Applicants respectfully submit that the cited prior art references do not teach, suggest or otherwise render obvious the above-noted features recited in claim 34. Accordingly, Applicants submit that claim 34 is patentable over the cited prior art, an indication of which is kindly requested.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The Commissioner is authorized to charge any deficiency in fees associated with this communication to Deposit Account No. 23-0975.

Respectfully submitted,

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